

Remarks

Applicants affirm the election of the claims of Group V and Method A for prosecution.

Claims 1, 3, 7-13, 35, 59-61, 63, 65-69, 71, and 183 have been amended. Specifically, these claims have been amended in view of Applicants' election. Further, claims 4-6, 73-164, and 173-177 have been cancelled consistent with the election. Claims 180-182 have also been cancelled. In addition, claim 168 has been amended to correct a minor clerical error, i.e., by deleting the word "is" from the first line of the claim. The term "heterocyclic groups" in claims 1-3 and 183 has been amended to more distinctly claim the subject matter considered the invention. New claims 211-220 have been added; those claims are supported by the examples. No new matter has been added by any of these amendments.

Claims 1-72 and 165-188 stand rejected as being indefinite under 35 U.S.C. § 112, second paragraph. Specifically, the Examiner questions the terms "heterocycloalkyl" and "heterocyclic groups" used in claim 1 and certain dependent claims. Applicants disagree and respectfully submit that these terms do not render the claims indefinite.

The term "heterocycloalkyl" is defined on page 46, at lines 15-24. Thus,

[t]he term "heterocycloalkyl" is intended to include saturated ring groups having at least 1 heteroatom. Heterocycloalkyl groups typically include 3 to 8 ring

atoms, preferably 5 to 7 ring atoms. Heterocycloalkyl groups typically have from 1 to 3 heteroatoms selected from N, S, and O with remaining ring atoms being carbon."

This definition makes "heterocycloalkyl" clear.

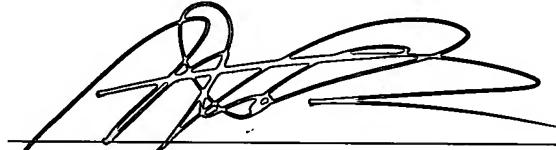
The term "heterocyclic groups" is also definite when viewed in light of the meaning of "heterocycloalkyl" and the context in which it is used throughout the specification and claims. Nevertheless, the claims employing that term, i.e., claims 1, 2, 3, and 183, have been amended to indicate that the "heterocyclic groups contain carbon atoms and one, two, or three heteroatoms selected from oxygen, nitrogen, and sulfur atoms."

The amendments to claim 1, 2, 3, and 183 are fully supported by the specification. For example, Applicants consistently use the term "heteroatom" to mean oxygen, nitrogen, and sulfur atoms. See, e.g., page 6, lines 25-26, and page 8, lines 29-30, as well as the definition set forth above for heterocycloalkyl. Further, the definitions of R and R' that employ the term "heterocyclic group" themselves provide guidance as to the meaning of that term. Those definitions make clear that the heterocyclic groups have 3 to 7 members and, because they use the prefix "hetero", contain at least one heteroatom. Those definitions also point out that the groups are saturated, unsaturated, or aromatic. Applicants' specification provides sufficient guidance as to the nature of the "heterocyclic groups." As a result, those skilled in the art would certainly recognize what is intended by that

term: saturated, unsaturated and aromatic ring systems having from 3-7 ring members, where the ring members are carbon atoms and at least one heteroatom selected from oxygen, nitrogen, and sulfur. Reconsideration and withdrawal of the § 112 rejections are respectfully requested.

Allowance of the claims and passage of the case to issue are respectfully solicited. Should the Examiner believe a discussion of this matter would be helpful, the Examiner is invited to telephone the undersigned at (312) 913-0001.

Respectfully submitted,



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